

REMARKS

Applicants reply to the Office Action dated November 17, 2010 within three months. Claims 1-6 and 6-17 are pending in the application and the Examiner rejects claims 1-6 and 6-17. Support for the amendments may be found in the originally-filed specification. No new matter is entered with these amendments. Applicants respectfully request reconsideration of this application.

Rejections under 35 U.S.C § 103

The Examiner rejects claims 1-4 and 6-17 under 35 U.S.C. § 103(a), as being unpatentable over Driskell et al., U.S. Patent No. 6,072,493, (“Driskell”), in view of Peterson et al., U.S. Patent No. 7,020,628 (“Peterson”). (Applicants assume the Examiner inadvertently omitted claim 17 from the listing of claims rejected under 35 U.S.C. § 103(a), on page 3 of the Office Action, as claim 17 is included as bullet point 14 on page 5 within the 35 U.S.C. § 103(a) section). Applicants respectfully disagree with these rejections, but Applicants present claim amendments in order to clarify the patentable aspects of the claims and to expedite prosecution.

Driskell generally teaches “a system and method for providing and analyzing information regarding the association of services with elements of an organization,” (abstract). Driskell teaches “The first embodiment of the present invention also provides a user with screen displays of information such that the user may review information from a service provider, and in particular, may review the services on the bill as they are associated with any particular element of an organization.” (Cols. 6-7, lines 66-4) The Examiner states on page 3 of the Office Action that “organizational information including a list of groups within the entity and a value driver of the entity (fig.4, col 26 lns 56-67, & 29 lns 1-24).” Specifically, Driskell teaches “Preferably, all charges on an electronic bill are divided into major categories such as the following: (1) monthly charges; (2) other charges and credits; (3) usage; and (4) taxes and adjustments.” (Col. 6, lines 52-54). ***Notably these categories do not include value driver data.*** In fact, Driskell is entirely silent as to “reading ...a business model file comprising ... a value driver of the entity,” as recited by independent claim 1 and as similarly recited by independent claims 6 and 11. Notably the electronic charges do not disclose value driver data or a location for displaying driver data. The claims are currently amended to further clarify that the **value driver data is the criteria used by the entity to determine if the entity is successful**, as disclosed in paragraph [0022] of the application as filed (emphasis added). As Driskell is entirely silent as to value driver data, it is

similarly silent to “assessing a technology operational cost in the groups and correlating operational cost to the value driver data; and making a value based decision based on the assessment,” as recited by independent claim 1 (emphasis added) and as similarly recited by independent claims 6 and 11. (See paragraph [0023] of the application as filed.)

Peterson generally teaches “a system and a method for monitoring remote computer access and associated costs,” (abstract). The Examiner states on page 4 of the Office action that Peterson discloses “wherein the billing information includes a unique hardware processing job identifier corresponding to each hardware processing job executed by the provider for the entity.” Specifically Peterson states “Preferably the starting and ending time stamps are associated in the user log with the list of authorized users so that the user log contains a record of computer time usage for each authorized user.” (Col. 4, lines 7-10.) The start and end time a user uses a resource is not analogous to “a job identifier corresponding to each hardware processing job,” as recited by the pending claims. The start and end time a user uses a resource merely states when a particular user uses a resource not what was being done or why as would be conveyed with a job identifier corresponding to each hardware processing job. Stated another way, the systems of the cited references assign a code to the user which indicates a hierarchal level to assign a charge but the systems of the cited references do not assign a unique hardware processing job identifier to indicate the job completed by the provider. This is of particular importance in, for instance, assigning specific technology operational costs in the various groups. As such, Applicants submit that Peterson is silent as to and does not disclose or contemplate “wherein the billing information includes a unique hardware processing job identifier corresponding to each hardware processing job executed by the provider for the entity” as recited by independent claim 1 (emphasis added) and as similarly recited by independent claims 6 and 11.

Moreover, Peterson, similar to Driskell above, is silent to and thus does not disclose or contemplate “reading ...a business model file comprising ... a value driver of the entity” and “assessing a technology operational cost in the groups and correlating operational cost to the value driver data; and making a value based decision based on the assessment,” as recited by independent claim 1 (emphasis added) and as similarly recited by independent claims 6 and 11.

Thus, the cited references, alone or in combination do not disclose or contemplate at least “reading ...a business model file comprising ... a value driver of the entity” and “assessing a technology operational cost in the groups and correlating operational cost to the value driver data;

as recited by independent claim 1 (emphasis added) and as similarly recited by independent claims 6 and 11. Accordingly, Applicants respectfully submit that the Examiner has not shown a *prima facie* case of obviousness given the fact that all limitations are not listed as supported by the cited references. For at least these reasons Applicants submit that independent claims 1, 6 and 11 are allowable over the cited references.

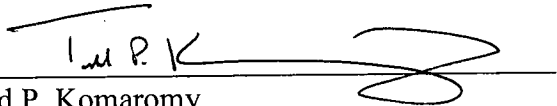
Dependent claims 2-4, 7-10 and 12-17 variously depend from independent claims 1, 6 and 11. Therefore, Applicants assert that dependent claims 2-4, 7-10 and 12-17 are patentable for at least the same reasons stated above for differentiating independent claims 1, 6 and 11 as well as in view of their own respective features. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of dependent claims 2-4, 7-10 and 12-17.

When a phrase similar to "at least one of A, B, or C" or "at least one of A, B, and C" is used in the claims or specification, Applicants intend the phrase to mean any of the following: (1) at least one of A; (2) at least one of B; (3) at least one of C; (4) at least one of A and at least one of B; (5) at least one of B and at least one of C; (6) at least one of A and at least one of C; or (7) at least one of A, at least one of B, and at least one of C.

Applicants respectfully submit that the pending claims are in condition for allowance. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **19-2814**. Applicants invite the Examiner to telephone the undersigned, if the Examiner has any questions regarding this Reply or the present application in general.

Respectfully submitted,

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